

Regular Session, 2013
HOUSE BILL NO. 465

ACT No. 253

BY REPRESENTATIVE SHADOIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AN ACT

To amend and reenact R.S. 32:393(B)(2) and (C)(1)(b) and 414.2(A)(1)(c) and to enact R.S. 32:414.2(A)(1)(d)(xi), relative to commercial driver's licenses; to provide for reports to be sent to the Department of Public Safety and Corrections regarding violations by holders of commercial driver's licenses; to provide relative to the disqualification of commercial driver's licenses; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:393(B)(2) and (C)(1)(b) and 414.2(A)(1)(c) are hereby amended and reenacted and R.S. 32:414.2(A)(1)(d)(xi) is hereby enacted to read as follows:

§393. Persons charged with traffic violations; time for disposition, licenses, reports, and records to be sent to Department of Public Safety and Corrections, fee charged; record of unpaid traffic fines and parking fines

* * *

B.

* * *

(2) Whenever the driver's license of any person is mandatorily suspended under the provisions of R.S. 32:414, the court in which the conviction is had or in which bail is forfeited shall attach the license to a record of the conviction or bail forfeiture and shall forward both to the Department of Public Safety and Corrections, public safety services.

* * *

C.(1)

* * *

1 (b) If such person is convicted and sentenced thereupon, or his bail is
2 forfeited as a result of a final judgment of forfeiture, or other final disposition be
3 made, an abstract of the report, all parking convictions only excepted, shall be sent
4 by the court or the district attorney, as the case may be, to the commissioner as
5 follows:

6 (i) ~~not~~ Not later than thirty days after the date of such person's conviction and
7 sentencing thereupon, forfeiture of his bail and final judgment of forfeiture, or the
8 final disposition of his case, if such person holds a Class "D" or "E" driver's license,
9 or both.

10 (ii) In an electronic format not later than ten days after the date of such
11 person's conviction and sentencing thereupon, forfeiture of his bail and final
12 judgment of forfeiture, or the final disposition of his case, if such person holds a
13 commercial driver's license or commercial driver's license permit, or both.

14 (iii) This report shall not be a court record.

15 (iv) A conviction shall be reported to the department regardless of whether
16 the provisions of either Article 893 or 894 of the Code of Criminal Procedure are
17 invoked.

18 * * *

19 §414.2. Commercial motor vehicle drivers and drivers with a commercial learner's
20 permit; disqualification; issuance of Class "D" or "E" license; alcohol content
21 in breath and blood; implied consent

22 A.(1)

23 * * *

24 (c) As used in this Section;:

25 (i) ~~"alcohol~~ Alcohol concentration" shall mean the concentration of alcohol
26 in a person's blood, breath, or urine, or other bodily substance. When expressed as
27 a percentage, alcohol concentration means the numbers of grams of alcohol per one
28 hundred milliliters of blood, the number of grams of alcohol per two hundred ten
29 liters of breath, the number of grams of alcohol per sixty-seven milliliters of urine,
30 or their equivalents.

